

In The Matter Of:

*TERESA POPE HOOKS, ET AL. vs.
CHRISTOPHER BREWER, ET AL.*

RANDALL DELOACH

October 5, 2016

*HAWTHORNE & WEBB COURT REPORTING
149 RIVER HILLS LANE
MACON, GEORGIA 31211*

Original File RANDALL DELOACH.prn

Word Index included with this Min-U-Script®

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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

TERESA POPE HOOKS, :
Individually and ESTATE :
OF DAVID HOOKS, by :
Teresa Pope Hooks, :
Administratrix, :
PLAINTIFFS, : CASE NO. :
VS. : 3:16CV00023-DHB-BKE
CHRISTOPHER BREWER, ET AL., :
DEFENDANTS. :

OCTOBER 5, 2016 DUBLIN, GEORGIA 10:00 A.M.

Deposition of RANDALL DELOACH, called before Laura M. Jackson, Certified Court Reporter, State of Georgia, Certificate No. B-959, testimony taken at the Laurens County Courthouse, Dublin, Georgia, beginning at approximately 10:00 a.m., on October 5, 2016.

NOW OFFERING VIDEO CONFERENCING

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MACON, GEORGIA 31211
PHONE: 478.746.2295
LAURA@HAWTHORNE-WEBB.COM

[1] RANDALL DELOACH
[2] Witness having been first
[3] duly sworn, testified on
[4] **CROSS EXAMINATION**
[5] **BY MR. SHOOK:**

[6] Q Please state your name for the record.

[7] **A Randall Deloach.**

[8] Q Mr. Deloach, my name is Mitch Shook and I represent
[9] Teresa Hooks in this case that's been filed in the Southern
[10] District of Georgia. I'm here today to ask you some
[11] questions. Have you ever given a deposition before?

[12] **A No, sir.**

[13] Q Okay. Well, what we're going to do here is I'm
[14] going to be asking some questions and, as you know, the court
[15] reporter's trying to take everything down. So if you would,
[16] please verbalize a response as opposed to going Uh-huh
[17] (affirmative), or uh-Uh (negative), or nodding heads, because
[18] she has a hard time taking that down. If for some reason you
[19] forget that and I prompt you to do that, I'm not trying to be
[20] hard to deal with. I'm just doing it for her sake, okay?

[21] **A Uh-huh (affirmative).**

[22] Q All right. Mr. Deloach, tell me, where do you
[23] currently reside?

[24] **A In East Dublin, Georgia.**

[25] Q And how long have you lived in East Dublin?

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APPEARANCES:

FOR THE PLAINTIFFS: MR. G. BRIAN SPEARS
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ALSO PRESENT: MS. TERESA HOOKS

REPORTER'S NOTE: Witness RESERVES reading and
signing of the document.

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BY MR. SHOOK

DIRECT EXAMINATION 56
BY MR. BUCKLEY

EXHIBIT

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PLAINTIFF'S EXHIBIT NO. 30 46
DRAWING

[1] **A Basically my whole life. I've moved a few times**
[2] **but my whole life.**

[3] Q Are you originally from Laurens County?

[4] **A Yes, sir.**

[5] Q Tell me a little bit about your educational
[6] background.

[7] **A I went to East Laurens High School.**

[8] Q Did you graduate?

[9] **A Yes, sir.**

[10] Q What year was that?

[11] **A 2008.**

[12] Q After going to East Laurens High School and
[13] graduating, did you get any other type of education?

[14] **A No. I have a certificate but that's it. No kind**
[15] **of degree or anything.**

[16] Q What's the certificate in?

[17] **A Criminal Justice.**

[18] Q Where did you get that from?

[19] **A Oconee Fall Line.**

[20] Q Technical College?

[21] **A Yes, sir. It was Heart of Georgia then.**

[22] Q I understand. And other than the certificate you
[23] got from Oconee or Heart of Georgia at that time, did you
[24] receive any other type of college or technical school
[25] education?

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[1] **A No, sir.**
 [2] Q Tell me, if you would, about your employment
 [3] history. What's the first job you ever had?
 [4] **A The first job I ever had was at -- I worked at**
 [5] **Sleep and Recline downtown delivering furniture.**
 [6] Q And after you left that occupation what did you do
 [7] next?
 [8] **A I worked at a BP store over across from East**
 [9] **Laurens Highschool.**
 [10] Q Okay. And after that what did you do?
 [11] **A I went to Kroger and was assistant manager at the**
 [12] **fuel center or over the fuel center.**
 [13] Q Okay. After that?
 [14] **A I went to the Sheriff's office.**
 [15] Q What year did you start with Laurens County
 [16] Sheriff's Department?
 [17] **A 2010.**
 [18] Q Why did you decide to get involved in law
 [19] enforcement?
 [20] **A It's something I've always wanted to do really.**
 [21] Q Did you know anybody that worked in the Laurens
 [22] County Sheriff's Department at the time?
 [23] **A A few people. A few people.**
 [24] Q What was the -- when you went to work for the
 [25] Laurens County Sheriff's Department what was the first job

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[1] **there for some officer survival class and a few other**
 [2] **classes. I can't remember all of them that I've done over**
 [3] **the last few years. They'd be on my training record.**
 [4] Q So anything that's on your post record should
 [5] reflect the training you've had?
 [6] **A Yes, sir.**
 [7] Q Did that training include training for the SRT?
 [8] **A Yes, sir. We get training through our instructors**
 [9] **at the Sheriff's office during our SRT training.**
 [10] Q All right. So after you became a peace officer in
 [11] 2012, what was your job then with the Sheriff's Department?
 [12] **A I was a transport deputy. I just done (sic)**
 [13] **transports for the jail and courthouse.**
 [14] Q How long did you do that?
 [15] **A I don't remember exactly. I want to say around six**
 [16] **months to a year maybe, somewhere around there.**
 [17] Q After you stopped being the transport deputy, what
 [18] job did you then take?
 [19] **A Patrol deputy.**
 [20] Q And describe for me what your duties were as a
 [21] patrol deputy.
 [22] **A They're basically to patrol Laurens County. We**
 [23] **answer calls, any emergency calls that come in through 911.**
 [24] **And if we're not answering calls, we're patrolling different**
 [25] **areas of the county and checking houses and buildings and**

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[1] you had?
 [2] **A A jailer. I worked in the jail.**
 [3] Q When -- would that have been in 2010?
 [4] **A Yes, sir.**
 [5] Q At some point in time -- let me back up. At the
 [6] point in time you were a jailer, were you a certified peace
 [7] officer at that point in time?
 [8] **A No, sir.**
 [9] Q Tell me -- obviously at some point in time you quit
 [10] being a jailer and became a peace officer. When did that
 [11] take place?
 [12] **A I believe it was 2012 when I went to school.**
 [13] Q And what police academy did you go to?
 [14] **A In Forsyth. Georgia Public Safety Training Center.**
 [15] Q And that was in 2012?
 [16] **A Yes, sir. I'm pretty sure it was 2012.**
 [17] Q Okay. What type of training did you get at
 [18] Forsyth?
 [19] **A I just went through basic mandate certification**
 [20] **that all police officers in Georgia have to go through.**
 [21] Q Since then have you had any type of specialized
 [22] training through the training center in Forsyth?
 [23] **A Yes, sir.**
 [24] Q Tell me about that a little bit.
 [25] **A I'm trying to remember. I've had -- I went up**

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[1] **things of that nature.**
 [2] Q Okay. Were there any other divisions of the
 [3] Sheriff's Department besides the SRT that you participated
 [4] in?
 [5] **A No, sir.**
 [6] Q Did you ever participate in drug task force or
 [7] anything of that nature?
 [8] **A No, sir.**
 [9] Q Were you ever assigned to any specific unit at the
 [10] -- with the Sheriff's Department? Like I know they have a
 [11] drug unit. They have a property's crime unit, that kind of
 [12] thing?
 [13] **A No. Just patrol.**
 [14] Q Just patrol. Okay. When did you join the SRT?
 [15] **A I can't even tell you exactly what year it was. I**
 [16] **don't remember when it was.**
 [17] Q Well, if you started as a -- if you started --
 [18] **A It was after I was -- it was after I was a patrol**
 [19] **deputy, I know that.**
 [20] Q Okay.
 [21] **A But I don't remember exactly when.**
 [22] Q And when you joined the SRT, who asked you to join
 [23] the SRT?
 [24] **A Nobody really asks to join. You can -- you can go**
 [25] **to a member of the team and tell them that you're interested**

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[1] in being on the team. You don't really just -- we don't just
 [2] go and ask people. People kind of have to want to do it.
 [3] Q Okay. Did you receive any training at Forsyth
 [4] regarding the SRT?
 [5] A Officer survival. that's the class that we take or
 [6] that a lot of guys on SRT take.
 [7] Q And that would have been one I think you mentioned
 [8] earlier that you took officer survival in Forsyth?
 [9] A Uh-huh (affirmative).
 [10] Q Anything else that you recall?
 [11] A Not in Forsyth. We get most of all of our training
 [12] through our SRT training days here with our instructors.
 [13] Q And who would have been the officers that provided
 [14] that training for you?
 [15] A Sergeant Stokes and Corporal Vertin.
 [16] Q What is your understanding of the purpose for the
 [17] SRT?
 [18] A We're there in -- we're there mostly to serve high
 [19] risk warrants because we do a lot. We do training in those
 [20] areas that normal patrol deputies and guys on the drug unit
 [21] don't get. If they have high risk warrants or anything like
 [22] that, we serve.
 [23] Q Are you aware of instances where search warrants
 [24] have been executed without the SRT?
 [25] A Not that I'm aware of.

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[1] Q Okay. Is it your understanding that the policy of
 [2] the Laurens County Sheriff's Department is to use the SRT to
 [3] serve all warrants if the SRT is available?
 [4] A No.
 [5] Q That's not your understanding?
 [6] A And I don't know exactly what our policy says on
 [7] when they have to use SRT team.
 [8] Q No one's ever discussed that in a training session
 [9] with you?
 [10] A No. That would be up to the commander and whoever
 [11] makes the decisions.
 [12] Q Do you have -- do you have a ballpark idea of how
 [13] many search warrant executions you've participated in
 [14] regarding the SRT?
 [15] A I can't tell you exactly but at least five or six
 [16] probably, up to that point.
 [17] Q Okay. When the SRT is going to execute a search
 [18] warrant, is there a briefing that is done prior to that?
 [19] A Yes.
 [20] Q And typically how long would that briefing take?
 [21] A It all depends on what we're doing. Some things
 [22] are more complicated than others depending on the situation.
 [23] Q Can you tell me, in your history of these five or
 [24] so search warrants that you've participated in, what's the
 [25] longest a briefing has ever taken?

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[1] MR. BUCKLEY: Now, he said up to that point. I
 [2] think that means before this.
 [3] MR. SHOOK: Before this incident. Okay.
 [4] MR. BUCKLEY: Is that right? Is that what you
 [5] meant?
 [6] THE WITNESS: (Nodding head affirmatively.)
 [7] Q MR. SHOOK: Well, let me clear that up then. How
 [8] many total search warrant executions have you participated in
 [9] leading up to this situation and afterwards?
 [10] A I can't tell you exactly. I don't want to -- I
 [11] don't want to try to give you a number because I really can't
 [12] tell you exactly.
 [13] Q Is it fair to say that you've participate in more
 [14] than one since this happened?
 [15] A Uh-huh (affirmative). Yes, sir.
 [16] Q In all the search warrants that you've participated
 [17] in, the execution of the search warrant, what's the longest
 [18] amount of time that a briefing has taken?
 [19] A We don't really keep time when we're doing our
 [20] briefings. I mean, I can't give you an exact number.
 [21] Q Is -- when these briefings take place are you given
 [22] any information with regards to what the purpose of the
 [23] search is?
 [24] A Yes.
 [25] Q Are you provided a copy of the search warrant that

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[1] you're going to be there to execute?
 [2] A They send -- any information they have they usually
 [3] put on the table and we usually send it around so everybody
 [4] can look at what we've got as they're giving the information
 [5] out.
 [6] Q All right. Is it common for the SRT to have a
 [7] written operations plan?
 [8] A I think that all depends. I really can't tell you.
 [9] We have -- they go over everything with us. That would
 [10] really be up to the commander to whether he has it written
 [11] down or not. That's something you'd have to ask him.
 [12] Q Have you seen written operation plans in the past?
 [13] A The ones I've done, no.
 [14] Q Okay. When the SRT is called to execute a search
 [15] warrant, do all the team members participate in every one or
 [16] is it sometimes some people don't go and others go? I mean,
 [17] how does that work?
 [18] A If you're -- we're on call 24/7. So if a call
 [19] comes out and you're not either -- have taken off for some
 [20] reason, then I mean, you'll be there. The only reason you
 [21] wouldn't be there is if your shift is working at the time and
 [22] maybe your shift is short so they can't let you go, you know.
 [23] So it just depends on the day and time.
 [24] Q To your knowledge is the SRT used in all drug
 [25] warrants?

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[1] **A I'm not sure exactly. They done (sic) a lot before**
 [2] **I ever got on the team. I mean, I couldn't tell you.**
 [3] Q What is your -- what are you doing now at the
 [4] Laurens County Sheriff's Department?
 [5] **A I'm still a deputy on patrol.**
 [6] Q Same job you've had --
 [7] **A Uh-huh (affirmative).**
 [8] Q -- since effectively 2000 -- well, since you
 [9] stopped doing transport?
 [10] **A Uh-huh (affirmative).**
 [11] Q Have you received any promotions or anything during
 [12] that period of time?
 [13] **A No, sir.**
 [14] Q Same rank?
 [15] **A Uh-huh (affirmative).**
 [16] Q That's a yes?
 [17] **A Yes, sir. I'm sorry. I'm sorry. I forgot.**
 [18] Q Everybody does, including me.
 [19] Well, then let's talk about this situation. When were
 [20] you first notified that there was going to be -- that SRT was
 [21] going to be involved in a search of Mr. Hooks' home?
 [22] **A When I got the page out from 911 on my phone. I**
 [23] **can't tell you a time. You'd have to look at the 911 records**
 [24] **for that to see when they paged it out.**
 [25] Q Okay. What had you been doing that day?

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[1] **A I was actually off that day. We just had a baby.**
 [2] **I'd been off for two weeks. That was, like, my first day**
 [3] **back from being off.**
 [4] Q So you had not worked that day?
 [5] **A No, sir.**
 [6] Q Were you scheduled to work that day?
 [7] **A No, sir. Well, actually -- I'm sorry, let me**
 [8] **clarify that. I'm really not sure if my shift was working**
 [9] **that day. That was my last day off, my last day that I was**
 [10] **actually off that I was starting back the next morning.**
 [11] Q So you would have technically been on a leave of
 [12] absence or something of that nature?
 [13] **A Yeah. That day.**
 [14] Q But they called you in anyway?
 [15] **A The page goes out to everyone on SRT.**
 [16] Q Okay. If you had -- if you had elected to, could
 [17] you have not participated?
 [18] **A Yes.**
 [19] Q Since you were off -- technically off or on leave
 [20] of absence?
 [21] **A Uh-huh (affirmative).**
 [22] Q That's a yes?
 [23] **A Yes. I'm sorry.**
 [24] Q So it was your decision to participate in this?
 [25] **A Yes. I was back to work the next morning, so.**

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[1] Q When you got the page did you call anyone?
 [2] **A Actually, my car had been sitting for two weeks and**
 [3] **for some reason the battery was dead so I had to call an**
 [4] **officer from East Dublin to come give me a jump to start my**
 [5] **car up.**
 [6] Q Did you -- when you got the page did you call
 [7] anybody with the SRT to discuss what was going on?
 [8] **A I don't remember. Not that I remember. I remember**
 [9] **having to jump my car off.**
 [10] Q Okay. Do you recall what the page said?
 [11] **A No. I can't tell you exactly what the page said.**
 [12] Q So at the point in time when you got your car
 [13] jumped off and started toward the Sheriff's Department, did
 [14] you have any idea what was happening?
 [15] **A We were getting paged out.**
 [16] Q That's all you knew?
 [17] **A Yep.**
 [18] Q You didn't know whether it was an execution of a
 [19] search warrant or any other thing that the SRT might do?
 [20] **A Yeah. I mean, I didn't know.**
 [21] Q Other than executing search warrants, what does the
 [22] SRT do?
 [23] **A Any situation that -- technically, a situation that**
 [24] **patrol can't handle. If something comes up like a barricaded**
 [25] **subject or any kind of hostile situation or anything like**

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[1] **that, we train on all those.**
 [2] Q Have you had any of those instances that you've
 [3] participated in since you've been on the SRT?
 [4] **A Yes.**
 [5] Q Describe those for me if you could.
 [6] **A The ones that -- the only ones we've really had is**
 [7] **barricaded subjects.**
 [8] Q Okay. And would those be -- tell me, if you
 [9] recall, instances where you've had a barricaded suspect?
 [10] **A Yes. We had one off -- behind West Laurens High**
 [11] **School. I remember that one.**
 [12] Q And do you recall what that was particularly about?
 [13] **A I don't remember exactly. I think -- the only**
 [14] **information I remember we got was that the guy had shot at**
 [15] **someone and when deputies arrived to try to talk to him, he**
 [16] **ran back inside and barricaded himself inside. That's all**
 [17] **the information I can remember.**
 [18] Q All right. Is it fair to say that the execution of
 [19] search warrants is the highest number of operations that the
 [20] SRT does?
 [21] **A Since I got on the team we did more search warrants**
 [22] **than other things.**
 [23] Q Okay. When you got to the Sheriff's -- I'm
 [24] assuming when you got the page and you got your car started,
 [25] you went to the Sheriff's Department. Is that correct?

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[1] **A Yes, sir.**
 [2] Q When you got to the Sheriff's Department who did
 [3] you speak with?
 [4] **A I don't remember who I spoke with. Everybody was**
 [5] **there, so.**
 [6] Q Do you recall what time you got to the Sheriff's
 [7] Department?
 [8] **A I couldn't tell you exactly what time. At night.**
 [9] **That's all I remember.**
 [10] Q It was at night?
 [11] **A Yeah.**
 [12] Q Already dark?
 [13] **A Yes, sir.**
 [14] Q Okay. And do you recall speaking at any time with
 [15] Chris Brewer?
 [16] **A No, sir.**
 [17] Q Do you recall at any point in time talking with
 [18] Sheriff Harrell?
 [19] **A No, sir.**
 [20] Q Where was the briefing held?
 [21] **A In our -- well, they call it the break room.**
 [22] Q And who held the briefing?
 [23] **A Sergeant Stokes held the briefing.**
 [24] Q Who spoke at the briefing other than Sergeant
 [25] Stokes?

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[1] **A I don't remember exactly who all spoke, but in most**
 [2] **of our briefings him and Corporal Vertin are the ones that**
 [3] **handle the briefing.**
 [4] Q Do you recall Chris Brewer speaking at the
 [5] briefing?
 [6] **A I don't remember if he did or not.**
 [7] Q How many people are we talking about being in this
 [8] room?
 [9] **A Our team plus usually -- usually if there's an**
 [10] **outside -- like sometimes there'll be an outside agency,**
 [11] **whether the GBI or somebody, that is part of the situation.**
 [12] **They'll be there. I mean, I can't tell you exactly how many.**
 [13] Q Okay. What's the setting like in there? Does
 [14] everybody stay quiet and let one person talk or does
 [15] everybody just kind of talk over each other?
 [16] **A No. The commander, which Vertin would be under**
 [17] **him, he was the entry team leader at the time, they handle**
 [18] **the briefing.**
 [19] Q Okay. Do you recall what was said at the briefing?
 [20] **A I can't tell you exactly what all was said at the**
 [21] **briefing.**
 [22] Q Did anybody ever show you a search warrant?
 [23] **A Yes. Most of our briefings they read the search**
 [24] **warrant.**
 [25] Q Did anybody ever show you the affidavit that was

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[1] attached to the search warrant?
 [2] **A Not that I remember.**
 [3] Q Before I get too far along let me double back and
 [4] ask this question. Did you have any involvement with the
 [5] arrest of Rodney Garrett?
 [6] **A No.**
 [7] Q Did you know anything about the circumstances
 [8] surrounding his arrest prior to this search warrant being
 [9] issued?
 [10] **A No.**
 [11] Q Did you speak with anyone whether it would be
 [12] Robbie Toney or any of the individuals involved in arresting
 [13] Rodney Garrett?
 [14] **A No.**
 [15] Q Did you even know who Rodney Garrett was?
 [16] **A Not until after all this was over with the next day**
 [17] **or two I didn't.**
 [18] Q Okay. You never had any dealings with him before?
 [19] **A Not that I remember. I didn't know who he was.**
 [20] Q Had you ever had any dealings with a guy named Jeff
 [21] Frazier before this?
 [22] **A The name doesn't sound familiar.**
 [23] Q Did you know David Hooks?
 [24] **A I didn't -- I knew of him. I've been there on a**
 [25] **call before but I didn't know him personally.**

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[1] Q Okay. Tell me -- you say you've been there on a
 [2] call before. Do you recall what that was about?
 [3] **A He had some money stolen out of his truck.**
 [4] Q Okay.
 [5] **A And he called us out to do a report on it.**
 [6] Q Do you remember when that was?
 [7] **A I couldn't tell you. I don't remember when that**
 [8] **was.**
 [9] Q Going back years?
 [10] **A Yeah. It's been a while. It's been a while.**
 [11] Q Okay. Other than that one instance, did you have
 [12] any other dealings that you're aware of with David?
 [13] **A That's the first time I had ever seen or talked to**
 [14] **him.**
 [15] Q Did you know Ms. Teresa Hooks or any member of his
 [16] family?
 [17] **A I know his daughter.**
 [18] Q Carla?
 [19] **A Uh-huh (affirmative).**
 [20] Q How do you know Carla?
 [21] **A Just from school. She went to East Laurens.**
 [22] Q Were y'all in school at about the same time?
 [23] **A Yes, sir. I think she's younger than me, but --**
 [24] Q Okay. All right. So do you recall what was said
 [25] during the briefing about how the warrant was to be executed?

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[1] **A What do you mean exactly?**
 [2] Q Was there anything in particular that was said
 [3] about this search warrant execution that you recall?
 [4] This search warrant was a lot different than most.
 [5] Q Okay.
 [6] **A It was said several, several times that we were --**
 [7] **when we got there, we were to knock on the door several times**
 [8] **and give plenty time because he's known to sleep upstairs,**
 [9] **for him to come downstairs and answer the door. They**
 [10] **actually said, "We don't -- we don't believe we're going to**
 [11] **encounter any issues. We believe more than likely he's going**
 [12] **to come to the door and answer the door, give him plenty of**
 [13] **time."**
 [14] Q Okay.
 [15] **A That was actually said in this briefing and usually**
 [16] **that's not.**
 [17] Q Right. And do you recall who was saying that? Was
 [18] that Officer Stokes and --
 [19] **A Uh-huh (affirmative).**
 [20] Q -- and Officer Vertin that were saying this?
 [21] **A Yes.**
 [22] Q Did -- do you recall the discussion about the fact
 [23] that he had been -- his property had been broken into and
 [24] there had been a theft just two -- a couple of days earlier?
 [25] **A Yes.**

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[1] Q Was there discussion about the fact that because
 [2] off that, Mr. Hooks and his family might be on heightened
 [3] alert?
 [4] **A They just said give plenty of time. That's all --**
 [5] **they said that several times.**
 [6] Q Do you recall whether or not anyone said to you
 [7] that Mr. Hooks was going to be arrested?
 [8] **A No.**
 [9] Q Did anybody tell you that they had an arrest
 [10] warrant for Mr. Hooks?
 [11] **A No.**
 [12] Q Was there any discussion about alternative ways of
 [13] accomplishing this search?
 [14] **A No.**
 [15] Q Did anybody indicate why it was -- there was such a
 [16] rush to get out there and do this search?
 [17] **MR. BUCKLEY:** Object to the form of the question.
 [18] You may answer.
 [19] **A THE WITNESS:** They -- if they did, they would have
 [20] **been done between the commander and somebody over the drug**
 [21] **unit between themselves (sic). Once they come -- once they**
 [22] **call us in for the briefing, they have their plan set. We**
 [23] **don't --**
 [24] Q Okay. So I guess based on what you're telling me,
 [25] once the decision is made to execute it, the actual members

Page 23

[1] of the team have no say-so in how -- in whether it's done or
 [2] not?
 [3] **A Well, what do you mean no --**
 [4] Q Well, for instance, if you're sitting in a briefing
 [5] and their talking about doing something and in your mind you
 [6] say, this is dumb, we shouldn't do it this way, do you have
 [7] the authority to speak up and say, guys, we need to rethink
 [8] this?
 [9] **MR. BUCKLEY:** Object to the form of the question.
 [10] Calls for speculation. You may answer it.
 [11] **A THE WITNESS:** Yes. If you have a problem with
 [12] something it's -- Corporal Vertin and Sergeant Stokes have
 [13] always asked for our opinion. But as far as whether the
 [14] warrant's going to be served or not, that's not --
 [15] Q Right.
 [16] **A That's up to the commander and whoever is in charge**
 [17] **of the search warrant, whoever took the search warrant out.**
 [18] Q Right. Okay. Do you recall overhearing any
 [19] conversations between Chris Brewer and Sergeant Stokes or
 [20] Vertin regarding alternative ways of accomplishing this?
 [21] **A No.**
 [22] Q Was the Sheriff present at all times during the
 [23] briefing?
 [24] **A I never seen (sic) the Sheriff. He wasn't there**
 [25] **during the briefing.**

Page 24

[1] Q You don't believe he was there?
 [2] **A He wasn't in our briefing room.**
 [3] Q Okay.
 [4] **A Not that I remember.**
 [5] Q Okay. And with regards to the -- this particular
 [6] plan, I know you've said that they said "plenty of time."
 [7] Did anybody discuss what that meant? Like you said, they
 [8] said it over and over, "We want to give him plenty of time to
 [9] get to the door."
 [10] **A Uh-huh, (affirmative).**
 [11] Q Did anybody say what that meant?
 [12] **A Not that I can remember if anybody said exactly**
 [13] **what it meant.**
 [14] Q Okay. Well, what did it mean to you?
 [15] **A To me it meant on a normal knock and announce**
 [16] **warrant we're going to knock at least three times and**
 [17] **announce ourselves. So to me it would mean at least three**
 [18] **times or more, more than that to give plenty of time for him**
 [19] **to wake up and come downstairs.**
 [20] Q So based on what you heard in the briefing, the
 [21] goal was to give David Hooks time to one: wake up. Correct?
 [22] **A (Witness nodding head affirmatively.)**
 [23] Q Is that a yes?
 [24] **A Yes.**
 [25] Q Two: put on clothes. That would be the normal

Page 25

[1] thing -- the way to do things. Correct?

[2] **A Yes.**

[3] Q Come downstairs because as I understand there's

[4] some conversation that he might be upstairs? Is that right?

[5] **A Yeah. They said that it was -- we didn't -- which**

[6] **we don't really know anything 100 percent, but it was said**

[7] **that they believe he sleeps upstairs.**

[8] Q Okay. And walk to the door?

[9] **A Yes.**

[10] Q Is that correct? And during the briefing was it

[11] discussed that this was an above average size home?

[12] **A I don't know if they talked about exactly what the**

[13] **house was, but I know they told us it was a two story**

[14] **residence.**

[15] Q Did they show you a photograph of the home?

[16] **A I don't remember if they had a photograph or not.**

[17] Q Okay. Was there any discussion during the briefing

[18] about which door the warrant was going to be served at?

[19] **A Yes.**

[20] Q And what was that?

[21] **A The, I guess you would call it the back door,**

[22] **underneath the carport.**

[23] Q Okay. What was the reasoning behind going to the

[24] back door as opposed to the front door?

[25] **A I'm not exactly sure what their reasoning was.**

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[1] Q That wasn't a decision you participated in?

[2] **A No.**

[3] Q In this particular case did you ever see a written

[4] operational plan about what you were going to do?

[5] **A No.**

[6] Q How long did the briefing last?

[7] **A I can't tell you. We don't -- we don't keep time**

[8] **when we're in there. We -- I can't give you an exact time on**

[9] **how long it lasts.**

[10] Q Okay. Were there any other meetings that you're

[11] aware of between any team members outside of the briefing

[12] room?

[13] **A Not that I know of. I don't -- up until they call**

[14] **us into the briefing, I don't know. I can't tell you.**

[15] Q Did you ever see any of the team members leave the

[16] briefing room, go out of the room, and then come back in

[17] during the briefing?

[18] **A Not that I remember. We have to -- we stay in for**

[19] **the briefing.**

[20] Q What about Chris Brewer? Did you ever see him go

[21] and come during the briefing?

[22] **A Not that I remember. I couldn't tell you.**

[23] Q Do you recall him speaking at the briefing?

[24] **A I don't remember if he spoke or not. I don't**

[25] **remember.**

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[1] Q Okay. At some point in time after the briefing the

[2] decision is made it's time to go. Is that correct?

[3] **A Yes.**

[4] Q Who made that decision as far as you know?

[5] **A The commander of the team.**

[6] Q Okay. Was it -- was there anything said during the

[7] briefing at that point in time when everybody was getting

[8] ready to go about the fact that this was going to -- this

[9] search warrant was going to be executed about 11:00 o'clock

[10] at night?

[11] **A I don't think anybody set a time.**

[12] Q Nobody said anything about the fact that it was

[13] going to be served at 11:00 o'clock at night?

[14] **A I don't remember if anybody said a specific time.**

[15] Q Do you recall anybody saying anything -- anybody,

[16] you know, I asked you if you had the authority to say

[17] something. Do you recall anybody speaking up at the point in

[18] time saying, you know, maybe we ought to reconsider how we're

[19] doing this at 11:00 o'clock at night?

[20] **A No.**

[21] Q Okay. Was there any discussions about the fact

[22] that Mr. Hooks owned firearms?

[23] **A Yes.**

[24] Q Who brought that up?

[25] **A I can't tell you exactly who. Usually it's the**

Page 28

[1] **commander or the entry team leader. They handle the**

[2] **briefing.**

[3] Q What was said about Mr. Hooks owning firearms?

[4] **A They were just known that there were firearms -- or**

[5] **known to be firearms in the house.**

[6] Q Was there a discussion about other people that

[7] might be in the home?

[8] **A Yes.**

[9] Q What's your understanding about what was discussed

[10] about other people that may be in the home?

[11] **A I remember being told his wife would more than**

[12] **likely be there and there was a possibility of another person**

[13] **and a small child -- unsure but there was a possibility.**

[14] Q So the team knew that there was a possibility of

[15] children being present when this search warrant was executed?

[16] **A Yes.**

[17] Q Is there anything, based on your training, special,

[18] that is supposed to be done if you know children may be

[19] present or likely to be present?

[20] **A Yes.**

[21] Q Tell me about that.

[22] **A We wouldn't -- normally in that situation we**

[23] **wouldn't use any kind of flash bangs or chemical devices or**

[24] **anything like that in the house, which we didn't.**

[25] Q Okay. What was your understanding of how this --

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[1] how the SRT was to be positioned? I guess I'm asking -- I
 [2] guess they call it the stack. Who was -- how was the stack
 [3] to be organized?
 [4] **A It was Meeks and Stewart, they were either one or**
 [5] **two. I can't remember. I can't remember which one was**
 [6] **which, but they were either one or two, I believe. And then**
 [7] **I want to say Sergeant Forte was third and Sergeant Reese was**
 [8] **number four and I was number five. I think Corporal Vertin**
 [9] **was behind me.**
 [10] Q Okay. And my understanding is there was to be a
 [11] person that did the knock and announce?
 [12] **A Yes.**
 [13] Q And was that Casey Lloyd?
 [14] **A Yes.**
 [15] Q And my understanding is Casey Lloyd was supposed to
 [16] have on a Class A uniform?
 [17] **A He wore this uniform.**
 [18] Q The exact uniform you're wearing today?
 [19] **A Yes.**
 [20] Q And that consists of a dark, is that navy shirt?
 [21] **A Navy or black, whatever you call it.**
 [22] Q A very dark colored shirt; a pair of, I guess,
 [23] khaki pants with a dark stripe down the side?
 [24] **A Uh-huh (affirmative). Yes.**
 [25] Q And what kind of hat would normally be worn with

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[1] that?
 [2] **A No hat.**
 [3] Q No hat? Okay. Would there normally be any glasses
 [4] worn with that if you were executing a search warrant?
 [5] **A No.**
 [6] Q Okay. And was there somebody assigned to a
 [7] breacher?
 [8] **A Yes.**
 [9] Q And who was the breacher?
 [10] **A Tyler Jackson.**
 [11] Q And on a knock and announce search warrant, why is
 [12] it necessary to have a breacher?
 [13] **A Because there's always a chance that we may have to**
 [14] **breach the residence.**
 [15] Q Okay. All right. So, I'm assuming that everyone
 [16] assembled and started out to the Hooks residence. Is that
 [17] correct?
 [18] **A From the briefing we had -- I can't remember**
 [19] **exactly how long -- he told us ten or 15 minutes to get**
 [20] **geared up and be in the vans.**
 [21] **MR. BUCKLEY:** Mitch, before you get to the next
 [22] part, can we take five?
 [23] **MR. SHOOK:** Sure.
 [24] (BREAK)
 [25] Q MR. SHOOK: Officer Deloach, let me go back and

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[1] make sure I understand something. You said the only
 [2] involvement that you know of that you've ever had in law
 [3] enforcement with David Hooks was when you went out to
 [4] investigate a theft at his home?
 [5] **A As far as I can remember, yeah.**
 [6] Q Do you remember whether or not anyone was arrested
 [7] in that matter?
 [8] **A I'm not sure. I done (sic) the preliminary**
 [9] **investigation on scene and then it was turned over to an**
 [10] **investigator or someone.**
 [11] Q Okay. And so as far as your involvement in law
 [12] enforcement, is it fair to say that you've never been
 [13] involved in any investigation with regards to David Hooks?
 [14] **A Yes. I haven't.**
 [15] Q Himself? And you're not aware of any issue with
 [16] David Hooks and drugs from your law enforcement experience?
 [17] **A I don't know him. I don't know him.**
 [18] Q So leading up to the night that you went out to
 [19] execute this warrant, is it fair to say that during the
 [20] briefing is the first time you ever heard his name associated
 [21] with drugs in your law enforcement career?
 [22] **A It's only the -- it's one of the first times I've**
 [23] **heard his name.**
 [24] Q Period?
 [25] **A Yeah.**

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[1] Q Okay. How did the SRT travel out to the Hooks'
 [2] residence?
 [3] **A We rode in our two vans.**
 [4] Q And are those vans like old ambulances that have
 [5] been converted or something to that nature?
 [6] **A Basically.**
 [7] Q Okay. What was the -- my understanding is there
 [8] were quite a lot of vehicles that were going out there that
 [9] night. Do you know the sequence they went?
 [10] **A No, I don't. When we get into the -- the entry**
 [11] **team gets into the van and shuts the doors and I couldn't**
 [12] **tell you.**
 [13] Q When you're in the van with the door shut were
 [14] there any windows to see out?
 [15] **A No. Just the front windshield if you can see**
 [16] **through there.**
 [17] Q Okay. Was there any discussion about whether there
 [18] was going to be blue lights used as this group was approaching
 [19] the house?
 [20] **A I'm not sure.**
 [21] Q Do you know whether or not there were any blue
 [22] lights in use?
 [23] **A I don't remember if there were. Well, I do**
 [24] **remember in the van Corporal Vertin saying something about**
 [25] **somebody having blue lights on before we got out. I don't**

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[1] remember exactly what he said, but I remember him saying
 [2] who's got blue lights on or something. I don't remember
 [3] exactly.
 [4] Q Okay. Did you see any blue lights that you're
 [5] aware of?
 [6] A I don't remember seeing any that I can remember.
 [7] But I'm pretty -- on the entry team, I mean, you're pretty
 [8] focused on what you're doing. You don't really --
 [9] Q What's the standard protocol when you're executing
 [10] a search warrant at night on whether or not any lights are
 [11] used, blue lights or headlights or anything?
 [12] A There's really no standard protocol with search
 [13] warrants. They're all different. They all call for
 [14] different action.
 [15] Q Sometimes is it the case that no lights are used at
 [16] all?
 [17] A Yes, sometimes.
 [18] Q You don't recall whether in this case they were
 [19] used or not?
 [20] A I don't remember.
 [21] Q You recall the Sheriff was one of the vehicles that
 [22] was in that line?
 [23] A I heard someone say the Sheriff was back there, but
 [24] I don't remember seeing him. When I got in the van we shut
 [25] the doors. I don't --

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[1] Q Okay. And you were dressed in, I guess they're
 [2] called tactical gear?
 [3] A Our SRT gear.
 [4] Q And that includes a dark colored uniform? Is that
 [5] right?
 [6] A It's green.
 [7] Q Is it a dark green?
 [8] A It's what y'all would call a military green. I
 [9] don't --
 [10] Q Okay. And I'm assuming that everyone wears a vest,
 [11] a bullet proof vest?
 [12] A Yes.
 [13] Q And everyone wears a helmet?
 [14] A Yes.
 [15] Q And the helmet comes down over the ears? Is that
 [16] correct?
 [17] A Yes. Or up to like here, (witness indicating).
 [18] Q Okay. Just right above the ears?
 [19] A Yes.
 [20] Q And the helmet is the same color as the uniform?
 [21] A Yes.
 [22] Q And my understanding is when a search warrant is
 [23] going to be executed, then typically some type of safety
 [24] eyewear is used?
 [25] A We didn't -- we didn't have any eyewear on.

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[1] Q You didn't have any eyewear on that night?
 [2] A Uh-uh (negative). No. I'm sorry.
 [3] Q Okay. So you pull up into the Hooks' driveway and
 [4] tell me what happened next.
 [5] A We exited the van and went into our stack by the
 [6] front door while Deputy Lloyd began knocking.
 [7] Q Okay. You said the front door. Do you mean --
 [8] A Well, the back door. I'm sorry. I'm sorry.
 [9] Q The back door?
 [10] A Yeah. Under the carport.
 [11] Q Okay. So you went into the stack and I'm assuming
 [12] everybody was at the back door at the point in time when
 [13] Deputy Lloyd knocked?
 [14] A The entry team, yes.
 [15] Q The entry team was back there? And how many times
 [16] did Deputy Lloyd knock?
 [17] A I know I -- I know of three times, at least three
 [18] times that I know of.
 [19] Q Okay. And how long a period of time are we talking
 [20] about?
 [21] A I can't tell you how long. I mean, we were --
 [22] Q Did he say anything when he knocked?
 [23] A Yes.
 [24] Q What did he say?
 [25] A Usually it's, "Sheriff's office. We have a search

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[1] warrant," -- in that -- I'm not going to say every person
 [2] says it the same way, but it's --
 [3] Q Did he have any type of amplification device to
 [4] amplify his voice, like a bullhorn or anything of that
 [5] nature?
 [6] A No.
 [7] Q So he was just using his voice?
 [8] A Yes. He was just yelling it.
 [9] Q Okay. And so he knocks. He says, "Sheriff's
 [10] Department, search warrant"?
 [11] A Yes.
 [12] Q And then he did that again?
 [13] A Yes.
 [14] Q And then I guess as we sit here today you're saying
 [15] he did that a third time?
 [16] A Yes.
 [17] Q So is it safe to say that that took less than a
 [18] minute?
 [19] A I mean, I can't tell you. I wouldn't -- when
 [20] you're there on the entry team, you're not worried -- you're
 [21] not thinking about how long it's taking. You're thinking
 [22] about what you have to do once we enter the house. I don't
 [23] know.
 [24] Q Do you recall there being any significant pause in
 [25] between --

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[1] **A Yes. I mean --**
 [2] Q -- the knocking and announcing --
 [3] **A -- there's a pause in between.**
 [4] Q Are we talking about a matter of seconds?
 [5] **A I can't tell you. I don't know.**
 [6] Q All right. What did you -- what happened next?
 [7] **A After -- after what?**
 [8] Q What happened after Deputy Lloyd knocked and
 [9] supposedly announced these three times?
 [10] **A At that point I heard him say, "I see him," as he**
 [11] **was coming. You know, he seen (sic) him come into the room**
 [12] **there, the main room there when you come in. And as -- right**
 [13] **after he said, "I seen him," he said, "He just ducked into**
 [14] **another room."**
 [15] Q Okay.
 [16] **A And if it wouldn't have been for the fact that he**
 [17] **said, "I see him coming. Wait, he just ducked into another**
 [18] **room," we would have knocked and announced several more**
 [19] **times.**
 [20] Q Okay. Did you consider that perhaps whoever that
 [21] person was was actually trying to come to the door?
 [22] **MR. BUCKLEY: Object to the form of the question.**
 [23] **A THE WITNESS: At first. When he first said, "I see**
 [24] **him coming."**
 [25] Q Okay. And how long after Deputy Lloyd said, I saw

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[1] him but he ducked into another room, or whatever, was it till
 [2] the order to breach was given?
 [3] **A I can't tell you how long. At that point it's**
 [4] **unknown what he's doing so I'm sure not very long afterwards.**
 [5] Q Almost immediately after that?
 [6] **A No immediately after, but I mean, it wouldn't have**
 [7] **been very long.**
 [8] Q Matter of seconds?
 [9] **A I can't tell you if it was --**
 [10] Q Was there -- as you guys are going to the door and
 [11] in the stack as Deputy Lloyd is doing what you describe as
 [12] knocking and announcing, was there radio traffic between the
 [13] officers?
 [14] **A I don't remember there being radio traffic. There**
 [15] **was talking.**
 [16] Q Did everyone have a radio on that they could
 [17] communicate with other officers?
 [18] **A Yes. Well, the SRT team does.**
 [19] Q And what channel does that radio operate on?
 [20] **A Usually either TAC-1 or TAC-2 is what they call the**
 [21] **channels we use.**
 [22] Q So these communications that would have been going
 [23] on between Deputy Lloyd and everyone else, would they be over
 [24] that radio channel?
 [25] **A I'm sorry, say that again.**

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[1] Q The communications between Deputy Lloyd as he's
 [2] knocking and announcing and saying this: "I saw him but he
 [3] -- but he ducked in or whatever;" would that have been over
 [4] that radio channel as well?
 [5] **A No.**
 [6] Q Did Deputy Lloyd not have a radio on?
 [7] **A Yes, I'm sure he probably had a radio. He had his**
 [8] **normal uniform on. He wouldn't have had our headset but I'm**
 [9] **sure he had his radio.**
 [10] Q Is that primarily the way you guys communicate with
 [11] each other is through the headset?
 [12] **A Well, not if we're close enough to talk.**
 [13] Q Okay. Okay. Who gave the order to breach?
 [14] **A I believe Sergeant Reese and Corporal Vertin were**
 [15] **both saying -- gave the order.**
 [16] Q Okay. And from the time you were positioned and
 [17] Deputy Lloyd did his first knock and announce, till the time
 [18] of the breach, how long are we talking about?
 [19] **A I can't tell you how long. How long it was is not**
 [20] **anything I was thinking about.**
 [21] Q Well, I mean, was it more than a minute?
 [22] **A I'm sure. But I mean, I can't give you a --**
 [23] Q Was it more than two minutes?
 [24] **A I don't know. I can't give you a time.**
 [25] Q Okay. Did anybody, while you're there in the

Page 40

[1] stack, say, "Wait guys. We said we needed to give this guy
 [2] plenty of time"? Anybody say that?
 [3] **A No. They didn't because we gave him plenty of**
 [4] **time.**
 [5] Q You believe you gave him plenty of time?
 [6] **A Yes.**
 [7] Q To get out of bed, right?
 [8] **A Yes.**
 [9] Q Find some clothes, put some clothes on, right?
 [10] **A Yes.**
 [11] Q Come down a flight of steps, right?
 [12] **A Yes.**
 [13] Q And walk to the door?
 [14] **A Yes.**
 [15] Q All right. When the breach was made, what happened
 [16] next?
 [17] **A When we entered -- after the breach was made I**
 [18] **heard gunshots start going off. As I came into the door,**
 [19] **maybe the last one or two -- when gunshots were going off it**
 [20] **all kind of runs together. But I believe maybe there was**
 [21] **another shot or so as I was coming in the door and that was**
 [22] **it.**
 [23] Q All right. So you were, as I understand it, number
 [24] five in the stack?
 [25] **A Yes.**

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[1] Q And I'm -- is it safe to say when the entry team
[2] makes entry, they do so very quickly?
[3] **A Yes.**
[4] Q It's -- and that's by design, correct?
[5] **A Yes.**
[6] Q You want to get in the house or in the -- whatever
[7] you're --
[8] **A We want to get through the doorway.**
[9] Q As fast as possible and get into position, correct?
[10] **A Yes.**
[11] Q And I believe what you're telling me is, that all
[12] the shots were fired in the time it took four people to get
[13] through the door?
[14] **MR. BUCKLEY:** Object to the form of the question.
[15] You may answer it.
[16] **A THE WITNESS: Except for the last few that as I was**
[17] **coming in, yes.**
[18] Q Right. And that would -- you heard the last few
[19] shots just as you were walking through the door?
[20] **A Yes.**
[21] Q So in the time it took -- in the time it took
[22] Meeks, Stewart, Forte, and Reese to get through the door
[23] every shot had been fired?
[24] **MR. BUCKLEY:** Object to the form of the question.
[25] Q MR. SHOOK: Other than the one or two you heard

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[1] just as you got to the door?
[2] **A As I was going inside, yes.**
[3] Q Do you have any idea how many shots were fired?
[4] **A No clue.**
[5] Q Would it surprise you to know that it was 23?
[6] **A No. I mean, I don't --**
[7] Q Did you actually see any shots fired?
[8] **A No.**
[9] Q Did you see the muzzle blast of anyone's firearm?
[10] **A No. Everybody's back was to me as I came in.**
[11] Q Okay. You never fired your firearm?
[12] **A No.**
[13] Q Did you hear anyone say anything immediately prior
[14] to the shots being fired?
[15] **A I don't remember.**
[16] Q You were the closest person to the four people that
[17] fired their weapon, correct? Is that correct?
[18] **A Yes.**
[19] Q You didn't hear anything said prior to them firing
[20] their weapon?
[21] **A Not that I remember.**
[22] Q Did you, at any time, see David Hooks prior to the
[23] shots being fired?
[24] **A No. Wait a minute. I'm sorry. Did I see him**
[25] **after the shots were fired?**

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[1] Q No.
[2] **A Or before?**
[3] Q Before. Did you see him --
[4] **A No.**
[5] Q -- at any time prior to the shots being fired?
[6] **A No.**
[7] Q Did you hear David Hooks say anything prior to the
[8] shots being fired?
[9] **A No.**
[10] Q All right. The shots are stopping. You're going
[11] through the door. What's the first thing you see?
[12] **A The first thing I see is the back of my guys.**
[13] **There wasn't a whole lot of room there so they were kind of**
[14] **-- four people spread out was taking the whole --**
[15] Q All right. You recall that you're in a kitchen at
[16] that point in time, correct?
[17] **A Yes.**
[18] Q And there's an island in the kitchen?
[19] **A Yes.**
[20] Q Tell me how the individuals that you saw when you
[21] went in the door were positioned. Who was where?
[22] **A I don't remember who was where. I couldn't tell**
[23] **you that. I just know that there were four this way, across,**
[24] **in front of me. I don't know.**
[25] Q All right. I'm not an artist, so. This is the

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[1] hall going this way. All right. This is supposedly -- and
[2] I'll mark this as an Exhibit. This is supposedly not a very
[3] good drawing of Ms. Hooks' kitchen. Okay? This would be the
[4] dining room and this would be a living room and the master
[5] bedroom would be over here. This would be the kitchen and
[6] the island.
[7] When you walked through this door, if you would, put
[8] four "Xs" where you saw -- where you saw Meeks, Stewart,
[9] Forte, and Reese, and I understand you don't know who was
[10] where, but you say you saw four people standing. Where were
[11] the four people standing?
[12] **A I don't remember this being how it was when we came**
[13] **either. That's not an accurate drawing.**
[14] Q Okay. Well, why don't you draw me one then. Draw
[15] me what you remember. Draw me what you remember it looking
[16] like.
[17] **A I believe there's a pantry or some sort on the left**
[18] **when you come in. Something over here to the left, some kind**
[19] **of room. Isn't there?**
[20] **MR. BUCKLEY:** I can't answer questions.
[21] Q MR. SHOOK: Just what you remember.
[22] **A I remember some kind of room or something being**
[23] **over here this way.**
[24] Q Okay.
[25] **A And the doorway was actually over toward this side**

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[1] --

[2] Q Okay.

[3] A -- from the island.

[4] Q Okay.

[5] A And when we come (sic) in, everybody come (sic) in

[6] was kind of through here (witness indicating), and then I

[7] come in behind.

[8] Q Okay. Well, just -- so if I -- this line that

[9] you've marked right here, everybody was in a line right

[10] there?

[11] A Yeah. I mean, I'm not going to say a line but they

[12] were through --

[13] Q They were positioned that way?

[14] A They were through this area --

[15] Q Okay.

[16] A -- when I come (sic) in.

[17] Q Okay. How about just put an "X" on each end of

[18] that line then and we'll understand that that line --

[19] A Just through there.

[20] Q -- just kind of represents the general area they

[21] were in.

[22] A Yep.

[23] Q Okay.

[24] COURT REPORTER: Do you want to continue? I do

[25] know where we were.

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[1] MR. SHOOK: Yes. Let's just do that.

[2] COURT REPORTER: So this will be 30.

[3] MR. SHOOK: Let's just do that, okay.

[4] (DRAWING MARKED PLAINTIFF'S EXHIBIT NO. 30.)

[5] Q MR. SHOOK: Okay. So you walk in the door. You

[6] see these team members in the kitchen, in this way. Was

[7] there any conversation that you had with any members of --

[8] any of the other members of the entry team?

[9] A I don't remember having a conversation with

[10] anybody.

[11] Q Okay. What do you recall seeing other than those

[12] individuals in the kitchen?

[13] A When I immediately come in, I couldn't really see a

[14] whole lot besides them.

[15] Q Was it dark in the house?

[16] A I don't remember if it was dark or not.

[17] Q Okay. What would have been the reason you couldn't

[18] see a whole lot?

[19] A Just because they were there.

[20] Q Okay. Did anybody direct you to do anything?

[21] A Not that I remember.

[22] Q What's the next thing you did after you came in?

[23] A We pushed forward, myself and Sergeant Reese pushed

[24] forward to the hallway.

[25] Q Okay. At any point in time while the entry team --

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[1] before the entry team went in, did you hear anybody say

[2] anything about a gun?

[3] A Not that I remember.

[4] Q At the point in time when the entry team was going

[5] in ahead and you and were trying to get to the door, did you

[6] hear anybody say anything about a gun?

[7] A Not that I remember. I was still outside.

[8] Q You had the headset on, though, correct?

[9] A Yes.

[10] Q So you could hear what the other members of the

[11] team were saying if they said something?

[12] A No.

[13] Q Okay. Why?

[14] A With our headsets -- most all headsets I've ever

[15] used you have to -- if you want to talk to another team

[16] member, there's another section on our -- that you have to

[17] press in order to talk.

[18] Q Okay.

[19] A It don't (sic) just -- everything you say don't

[20] (sic) just automatically go through.

[21] Q I understand. Was there ever a point in time when

[22] you were more than ten feet away from the other four members

[23] of the entry team?

[24] A I really can't say.

[25] Q I mean, the stack was -- you guys were -- as you

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[1] were getting ready to go through the door, you were front to

[2] back, correct?

[3] A Yes.

[4] Q Right on each other?

[5] A Yes.

[6] Q There was no appreciable gap between you guys, and

[7] it's designed that way, correct?

[8] A Yes. There shouldn't have been.

[9] Q So it's the distance it would take five grown men

[10] to line up one behind the other?

[11] A Basically. Once you have all your gear and

[12] weapons, yeah.

[13] Q Okay. And you don't recall ever hearing anybody

[14] say anything about a gun?

[15] A Not that I can remember.

[16] Q All right. As you pushed forward what did you see

[17] in the Hooks' home?

[18] A I seen (sic) -- we were going to toward the

[19] hallway. As we come (sic) by, all I seen (sic) is him and

[20] the shotgun next to him, and then we pushed forward to the

[21] hallway and our other guys took care of that side of the

[22] situation.

[23] Q Did you say anything to David Hooks?

[24] A No.

[25] Q Did you hear anybody else say anything to him?

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[1] **A I don't remember if anybody said anything to him?**
 [2] **A Do you recall somebody yelling at him to show them**
 [3] **their hand -- his hands?**
 [4] **A I can't specifically remember but I'm sure someone**
 [5] **did.**
 [6] Q Okay. How was he positioned on the floor?
 [7] **A He was laid back. Laid back.**
 [8] Q Laid back. Describe that for me. Was he laying on
 [9] his back?
 [10] **A Not all the way on his back. Kind of up on his**
 [11] **arms, on his side.**
 [12] Q Which side?
 [13] **A I don't -- I just remember him being kind of up on**
 [14] **his elbows kind of.**
 [15] Q Which way was his head in relation to either the
 [16] kitchen or the dining room?
 [17] **A I believe it was toward the dining room area.**
 [18] Q Okay. Did you ever go over to Mr. Hooks on the
 [19] floor and attempt to render any aid to him?
 [20] **A No, sir. We called our medics in immediately.**
 [21] **That's what they do.**
 [22] Q What's the next thing you did?
 [23] **A We pushed forward to the hallway and held down that**
 [24] **hallway.**
 [25] Q Was there anything -- what was the purpose for

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[1] holding down the hallway?
 [2] **A Because we still had the whole rest of the house**
 [3] **that had to be cleared.**
 [4] Q And what's the next thing that happened?
 [5] **A Our medics -- as far as I know the medics came in**
 [6] **and got him out.**
 [7] Q Okay.
 [8] **A That would happen behind me, so.**
 [9] Q All right. And who else was with you as you pushed
 [10] forward down the hall?
 [11] **A Sergeant Reese was right in front of me.**
 [12] Q Anyone else?
 [13] **A Sergeant Forte ended up, I think, coming in behind**
 [14] **me.**
 [15] Q Okay. And anyone else?
 [16] **A Not that I can remember in the hallway.**
 [17] Q Do you recall Officer Vertin being --
 [18] **A He was on the other side -- in the room on the**
 [19] **other side of the wall. There's a room over there. He was**
 [20] **on that side.**
 [21] Q Is that what you later understood to be the living
 [22] room?
 [23] **A I'm not sure what it was. It was just another**
 [24] **room.**
 [25] Q Okay. Did you -- did anybody make you aware that

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[1] someone else was in the house?
 [2] **A Yes. Someone said that they seen (sic) somebody**
 [3] **run into the room, run into a room there.**
 [4] Q Do you recall who said that?
 [5] **A I don't remember. I just remember somebody --**
 [6] **somebody yelling it out.**
 [7] Q And what did you observe happening with regards to
 [8] the person that ran into the room?
 [9] **A What do you mean?**
 [10] Q Well, did you observe any interaction between other
 [11] officers in an attempt to get the person out of the room?
 [12] **A Yes. They just started calling, "Sheriff's**
 [13] **office." You know, "Come out of the room."**
 [14] Q Who was doing that?
 [15] **A I don't know who was doing it. I know Corporal**
 [16] **Vertin called and -- I mean, I can't tell you everybody.**
 [17] Q Were you present when Ms. Hooks came out of the
 [18] room?
 [19] **A Yes. I was in the hallway. I didn't see her come**
 [20] **out of the room because I couldn't see the room from there,**
 [21] **from where I was.**
 [22] Q Who got her to come out of the room?
 [23] **A Corporal Vertin.**
 [24] Q Who was with -- was anybody with Corporal Vertin
 [25] when she came out of the room?

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[1] **A Deputy Stewart was on his side and I think there**
 [2] **was one more person. I don't remember who it was.**
 [3] Q And when she came out of the room, what happened
 [4] with her?
 [5] **A He just kept calling her to him.**
 [6] Q Okay. So she walks out of the door, I'm assuming,
 [7] with her hands up?
 [8] **A I couldn't see her from where I was when she come**
 [9] **(sic) out of the room. The room was on the other side of the**
 [10] **wall.**
 [11] Q Okay. You're standing in the hall, right?
 [12] **A I'm standing in the hall. You had the stairway and**
 [13] **then it went this way into that room. I couldn't see what --**
 [14] Q Do you recall seeing her at all?
 [15] **A Once he started calling her to him, she started**
 [16] **walking, and when she came out to in front of where the**
 [17] **hallway is, yes.**
 [18] Q Did she have her hands up?
 [19] **A I don't remember.**
 [20] Q Did -- what did you observe happened to Ms. Hooks
 [21] next?
 [22] **A He kept calling her to him and once she got into**
 [23] **the room where they were at it was on the other side of the**
 [24] **wall.**
 [25] Q So he called her into the dining room -- into the

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[1] living room area?

[2] **A Whatever that other room is. Uh-huh (affirmative).**

[3] Q Did you see him handcuff her?

[4] **A I don't think I seen (sic) him handcuff her.**

[5] **There's a wall there.**

[6] Q Did you see him lead her out?

[7] **A No. He -- not that I remember.**

[8] Q Did you ever at any time lead her out?

[9] **A No.**

[10] Q Did you have any interaction with Ms. Hooks at all?

[11] **A No.**

[12] Q What did you do next?

[13] **A Once she was out, we actually stayed there for a**

[14] **little bit and called a few times and then I think the**

[15] **decision was made that we were going to clear the rest of the**

[16] **house.**

[17] Q Okay. And who participated in clearing the rest of

[18] the house?

[19] **A Myself, Sergeant Reese, and Sergeant Forte went**

[20] **upstairs to clear the upstairs. I don't know if there was**

[21] **anybody else behind Sergeant Forte or not.**

[22] Q Okay. I'm assuming the house was cleared and what

[23] happened next?

[24] **A The house was cleared. We went outside and were**

[25] **separated and nothing happened until we talked to the GBI.**

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[1] Q Now, prior to Ms. Hooks being taken out, do you

[2] recall hearing her say that no one else was in the house?

[3] **A I didn't speak to her.**

[4] Q In the statement you gave to Agent Jerry Jones, do

[5] you recall telling him that you heard Teresa Hooks say no one

[6] else was in the house?

[7] **A I don't remember.**

[8] Q Okay. Would you dispute that statement if that's

[9] in a recorded statement?

[10] **A I don't remember exactly. Couldn't tell you.**

[11] Q Okay. When you came out of the house after the

[12] house was cleared did you see Ms. Hooks?

[13] **A Yes.**

[14] Q And where was she at?

[15] **A Sitting outside of the house in a chair.**

[16] Q By the pool?

[17] **A Out by the back door.**

[18] Q Did you have any interaction with her at that point

[19] in time?

[20] **A No.**

[21] Q Did you see that she was handcuffed?

[22] **A I don't remember. I'm sure she probably was but I**

[23] **don't remember. I don't remember if she was for sure.**

[24] Q Okay. And do you know how long she sat there?

[25] **A I don't know. They -- we walked away from there**

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[1] **and were separated in a different place. I don't know.**

[2] Q Okay. At some point in time did you guys all go

[3] back to the Sheriff's Department to be interviewed?

[4] **A Yes.**

[5] Q And do you recall how long or what time of, I

[6] guess, morning, at this point in time, that would have been?

[7] **A Yes. I don't remember.**

[8] Q Do you recall how long you stayed at the site

[9] before you went back to the Sheriff's Department?

[10] **A I don't remember how long exactly it was. They**

[11] **sent a van back to take us all back.**

[12] Q And everyone was supposed to be separated? Is that

[13] correct?

[14] **A Yeah. We were separated. When the van got there,**

[15] **we all got on the van and went to the Sheriff's office.**

[16] Q Were you able to communicate by radio with the

[17] other members of the entry team after you had been separated?

[18] **A At that point we didn't have our stuff on, our mics**

[19] **and all that on.**

[20] Q Who all road in the van back to the station?

[21] **A Just most of our SRT team. I don't know exactly**

[22] **who all was in there, but our team.**

[23] Q All of the entry team?

[24] **A I'm sure. I don't remember exactly if everybody**

[25] **was, but.**

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[1] Q So do you specifically recall whether Meeks,

[2] Stewart, Forte, Reese, and Vertin were in the van?

[3] **A I can't tell you specifically. They -- I mean,**

[4] **everybody that could fit in the van got on the van and went**

[5] **back. I don't know.**

[6] **MR. SHOOK:** All right. Let's take just a break and

[7] I think we're probably pretty close, if not done.

[8] (BREAK)

[9] **DIRECT EXAMINATION**

[10] **BY MR. BUCKLEY:**

[11] Q Deputy Deloach, you were asked questions earlier

[12] about being called out to the Hooks' property about some

[13] theft of money from his truck. Do you remember that?

[14] **A Yes.**

[15] Q And that was some time prior to this search?

[16] **A Yes.**

[17] Q I know you said you didn't recall the date. Was

[18] that after you became a road deputy?

[19] **A Yes.**

[20] Q And that was sometime around 2012?

[21] **A Yeah, or 2013 or somewhere.**

[22] Q And this search was in September of '14?

[23] **A Yeah.**

[24] Q What, if any, part does the person inside the house

[25] play in terms of how many times y'all will knock and announce

Page 57

[1] before making a decision about breaching?

[2] **A They play all the part. It depends -- it all**

[3] **depends on if we can see the person, if we see some -- if we**

[4] **see the person and they're coming toward us, then we're going**

[5] **to continue to knock and announce.**

[6] Q Once the decision to breach was made and the breach

[7] was happening, what, if anything, did the deputies continue

[8] to say in terms of announcing?

[9] **A When we -- when we go in on search warrants, we**

[10] **announce, "Sheriff's office, search warrant." That's one**

[11] **thing we do in our training. Every deputy that comes through**

[12] **is supposed to announce, "Sheriff's office, search warrant."**

[13] **When you run into a situation inside though, there could have**

[14] **been other commands given. I don't remember.**

[15] Q So in this instance in terms of hearing exactly

[16] what the folks in front of you said, do you recall?

[17] **A No.**

[18] Q Take a look at Exhibit 30 you were given there and

[19] I know you were drawing on top of counsel's drawing. In

[20] terms of the placement of things or how big they are, does

[21] that picture -- is that your representation of the conditions

[22] at the time, in terms of, like, the size of that island,

[23] where the hall is relative to the back door?

[24] **A No. I'm sure things were different. I'm sure**

[25] **things, as far as size, were somewhat different.**

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[1] Q Let me ask you to assume that Ms. Hooks has

[2] testified that the hallway, you could see up the hallway from

[3] the back door. Is it possible that that's true?

[4] **A Yes.**

[5] Q And insofar as the two "Xs" and the line of

[6] officers, let me ask you this, once the four people in front

[7] of you went into the kitchen, on a scale of easy access to

[8] cramped, how was it for you going in?

[9] **A Everything slowed down. It's meant to be fast and**

[10] **dynamic, but once you encounter a threat and gunshots start**

[11] **going off, everything slows down. You don't -- the stack is**

[12] **not continuing to run through the door at that point.**

[13] Q So for example, if those four were in the act of

[14] breaching and Mr. Hooks appeared from a side room with a

[15] firearm, would that --

[16] **A That would slow things down at that point.**

[17] **MR. BUCKLEY:** That's all the questions I have.

[18] (DEPOSITION CONCLUDED 11:35 P.M.)

[19]

[20]

[21]

[22]

[23]

[24]

[25]

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D I S C L O S U R E

STATE OF GEORGIA,
COUNTY OF BIBB:

Deposition of: RANDALL DELOACH

Pursuant to Article 8.B. of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia, I make the following disclosure:

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Dated: OCTOBER 5, 2016

_____, CCR B-959
Certified Court Reporter

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CERTIFICATE OF REPORTER

GEORGIA, BIBB COUNTY;

I, Laura M. Jackson, CCR, B-959, CERTIFY that acting in such capacity on October 5, 2016, I reported the testimony of RANDALL DELOACH, and on the foregoing pages, numbered 3 through 58, both inclusive, have transcribed a true, accurate and complete transcript of the same.

I FURTHER CERTIFY that I am not counsel for nor related to any of the parties; nor am I interested in the event or the outcome thereof.

WITNESS my hand and official seal this 16th day of October, 2016.

Certificate Number B-959

TERESA POPE HOOKS, ET AL. vs.
CHRISTOPHER BREWER, ET AL.

RANDALL DELOACH
October 5, 2016

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CERTIFICATE OF WITNESS
IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

TERESA POPE HOOKS, ET AL. :
PLAINTIFFS, : CASE NO.
: 3:16CV00023-DHB-BKE
VS. :
:
CHRISTOPHER BREWER, ET AL., :
DEFENDANTS. :

DEPOSITION OF: Randall Deloach October 5, 2016
() I wish to make the following correction(s):

PAGE/	LINE/	CORRECTION	/	REASON
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() I have read the foregoing pages of my testimony and wish to make no corrections.

Randall Deloach

Sworn to and subscribed before me
This ___ day of _____, 20__.

Notary Public

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